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been and are being denied by other countries closely allied with Japan?

Every well informed Japanese knows that certain groups of workers in Japan have time after time protested against the importation of Chinese coolies. Is it not a perfectly natural corollary that the working people of the Island empire, if duly informed, will not only understand but actually sympathize with the identical attitude of American workers?

Trained diplomats may answer "No." But here is one California trade-unionist who believes that the working people in Japan will give an entirely different reply.

To be sure, the case must be presented to them in its entirety and also in its true colors. As years go by this becomes more and more difficult because politicians and statesmen (so-called) are doing their utmost to make frank and manly discussions of the problem a virtual impossibility.

But it is not too late to start right now. The organized working people in some of the countries of Europe are

no longer content with old diplomatic usages. They have insisted and in several instances succeeded in securing recognition for men from the ranks of labor. It was not a question of getting government jobs for labor officials but rather the driving of labor's viewpoint, labor's thought and language, into the exclusive set who are labeled "trained diplomats."

So here's hoping that responsible forces will soon be at work:

1. To bring about an intelligent appreciation throughout America of the economic need for the exclusion of Japanese.

2. To map out a plan, open and above-board, whereby it will be possible to reach a thorough understanding between the workers in Japan and the workers of America.

3. To cause the appointment of an experienced and thoroughly representative labor man for service (as an adviser) at each of the principal American embassies, but in particular at our embassy in Tokio.

## Review of Exclusion History

By WALTER MACARTHUR  
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"As became a people devoted to the National Union, and filled with profound reverence for law, we have repeatedly, by petition and memorial, through the action of our Legislature, and by our Senators and Representatives in Congress, sought the appropriate remedies against this great wrong, and patiently awaited with confidence the action of the General Government. Meanwhile this giant evil has grown, and strengthened, and expanded; its baneful

effects upon the material interests of the people, upon public morals, and our civilization, becoming more and more apparent, until patience is almost exhausted, and the spirit of discontent pervades the state. It would be disingenuous in us to attempt to conceal our amazement at the long delay of appropriate action by the National Government towards the prohibition of an immigration which is rapidly approaching the character of an Oriental invasion, and which

threatens to supplant Anglo-Saxon civilization on this Coast.”<sup>1</sup>

THE language here quoted is practically identical with the expressions commonly used in the present discussion of the Japanese question. The object sought by the people of the Pacific Coast forty years ago has been attained. Chinese immigration ceased with the passage of the Chinese Exclusion Act, and that phase of the general problem may be considered as settled.

The problem of Japanese immigration is in all essentials one with the earlier phase of Asiatic immigration. Fundamentally, the whole question is a matter of race; not of the comparative qualities of the races, *but solely of the difference between the races*, a difference so wide and deep as to constitute a natural and permanent cleavage. From this viewpoint it would seem that a brief review of the history of Chinese exclusion may be of value in the present discussion.

Chinese immigration to California dates from the period of the gold rush, when a few members of the merchant class arrived at San Francisco. They were welcomed, and in fact honored, partly on their own account but chiefly because of the promise, which their presence afforded, of a great commerce with the Orient. They sent back favorable reports of their reception and the prospects of advancement in the new land. Immediately the tide of immigration set in. In little more than a year (1851) 14,000 Chinese had landed in the state. A large fleet of vessels was employed in the “coolie trade,” as it was thus early designated, at the rate of fifty dollars per head. During the two years, 1853–1855, the approximate numbers of Chinese in California fluctuated between 22,000 and 39,000.

<sup>1</sup>Memorial to Congress by the California Constitutional Convention, 1879.

The welcome accorded the first-comers from the Flowery Land was short-lived. The great majority of the immigrants were of the coolie class, and of course sought employment in the mining industry. The characteristics of this class of immigration immediately became apparent. In 1852 (that is, within two or three years following the advent of the first immigrants) the public feeling against Chinese labor had reached an acute point. Then began the agitation for Chinese exclusion, which continued without intermission for fifty years, and which has been continued in the case of its correlated phase throughout the subsequent period of eighteen years, down to the present time, a total period of sixty-eight years.

From the beginning of the agitation the race factor was recognized as fundamental, and all efforts to cope with the evil were directed toward the ultimate object of exclusion. Probably the most comprehensive treatment of the subject is contained in *A History of California Labor Legislation*, compiled by Lucile Eaves and issued by the University of California. From that work we gather the following details of the exclusion movement.

In the period 1852–1872 numerous measures were enacted by the state and municipal authorities. In general these measures took the form of taxation. An example of the policy of “exclusion by taxation” is seen in the act of the California Legislature (1852) which, by requiring a bond of \$500 for every alien passenger landed, sought to accomplish the object of state exclusion without running counter to federal authority. Many municipal ordinances were aimed in the same direction. A laundry tax, prohibitive in effect, was imposed. A cubic air space regulation, likewise prohibitive, was enacted. It was made a misde-

meanor for any person on the side-walks to carry baskets suspended on a pole across the shoulders. Another ordinance prohibited the employment of Chinese on public works. The principle of the latter measure, which was described as "exclusion by starvation," was subsequently embodied in the State Constitution (1879) in two provisions, one of which prohibited the employment of Chinese or Mongolians by any corporation, while the other prohibited their employment on public works, "except in punishment for crime." The former of these provisions was declared unconstitutional, but the latter remains a part of the State Constitution.

In general these measures failed in their object, largely because the authorities were unable or unwilling to enforce them, but chiefly because they went beyond the legislative powers of the state and municipality. The pole-carrying ordinance was upheld by the State Supreme Court, as a reasonable exercise of the police power. Practically all other measures aimed against the Chinese were declared unconstitutional, either by the state or federal courts.

The policy of actual exclusion by the state was attempted by an act of the Legislature passed in 1852. By the terms of that measure no Chinese or Mongolian was allowed to land in the state. Masters of vessels were subject to a fine of \$400 to \$600, or imprisonment for from six months to a year, or both such fine and imprisonment, for knowingly permitting the landing of Chinese. This attempt at direct exclusion was, of course, declared unconstitutional.

In every instance the failure of these attempts to deal with the question by the exercise of state or municipal powers resulted in increased agitation, accompanied by increasingly drastic

proposals and occasionally by open violence, culminating in the forcible expulsion of the Chinese from many localities. It is to be noted, however, that public feeling was the result of resentment against the failure of Congress to act upon the demand for exclusion, rather than of disappointment over the failure of the local measures. It appears that the real motive inspiring many of the local efforts was admonitory—that is to say, these efforts were designed as a warning to Congress and the people in other localities and to impress upon them the need of federal legislation. The resolutions and memorials issued by numerous public and quasi-public bodies uniformly recited the failure of all local efforts to secure relief, by way of prelude to the demand for Congressional action.

The Burlingame Treaty (1868) between the United States and China recognized the "mutual advantages of free migration and emigration of their citizens and subjects respectively from one country to the other for the purposes of curiosity, of trade, or of permanent residence." A single reservation was made by amendment, to the effect that nothing in the treaty should be held to confer the right of naturalization in either case. Thus the action of the federal government increased rather than allayed the dissatisfaction of the people in the West. This condition was further aggravated by the discussion which shortly afterward (1870) took place in Congress in connection with a bill to revise the naturalization laws. During the debate on the proposal to extend the rights of citizenship to aliens of African descent and persons of African nativity, an effort was made to include "persons born in the Chinese Empire." The attempt to extend the rights of citizenship to the Chinese

failed, but as a result of that attempt the whole question of Chinese immigration was fully presented to Congress for the first time.

In 1880 a new treaty with China was concluded, in which that country agreed that "the Government of the United States may regulate, limit, or suspend such coming or residence, but may not absolutely prohibit it."

The first exclusion act was passed in 1882. As originally enacted it prohibited the immigration of Chinese laborers for a period of twenty years. This bill was vetoed by President Arthur, who, following the example of President Hayes in the matter of the so-called Fifteen Passenger bill (1879), declared that the Exclusion bill violated the treaty, inasmuch as neither contracting party had contemplated so long a suspension as twenty years, or would have considered such a period a "reasonable" suspension or limitation. The bill was immediately amended to limit the period of suspension to ten years. In this form it was reenacted and approved by the President (May 6, 1882).

In 1884 the Exclusion Act was amended to prohibit the entry of Chinese not only from China but also from "any foreign port or place." Other defects in the law became apparent, and in 1888 a bill was passed regulating the conditions under which a Chinese laborer, having left the United States, should be permitted to return. Notwithstanding all efforts to insure absolute exclusion, the Census of 1890 showed an increase of 2,000 Chinese in the United States (total 107,000), as compared with the figures of 1880.

In 1891 the Legislature of California passed an exclusion law, in accordance, presumably, with the policy of admonition previously adopted. Of course this second adventure into the realm

of federal jurisdiction met the fate of its predecessor. It would seem, however, that the admonition was not entirely in vain.

In 1892 the Geary Act was passed. This measure extended the original exclusion law and all supplementary legislation for an additional period of ten years. In 1893 the McCreary Act was passed, extending the time allowed for registration and discontinuing all proceedings for violation of the former act. In 1894 a treaty between the United States and China was adopted, in which the latter country agreed to the exclusion laws. In 1902 the present Chinese Exclusion Act was passed, renewing for an indefinite period all laws prohibiting and regulating the coming of Chinese laborers from China, from any foreign port or place, and from or to the Island territory of the United States.

On many occasions during the long discussion of the subject reference was made to the Japanese, varied by the use of the terms, "Asiatic" and "Mongolian." But for the question of "practical politics" the demand for exclusion would have included the Japanese. The latter were omitted from the exclusion laws, not because of any distinction in their favor but solely because it was deemed wise to concentrate effort upon the actual evil of Chinese immigration rather than risk failure by an attempt to forestall events.

Japanese immigration has passed the stage of potential evil. The conditions created by the presence of the Japanese in many localities have raised issues in every respect much more acute than those of the past. The present agitation is but a repetition in aggravated form of the history of Chinese immigration. The most important lesson which we gather from

that history is that as the solution of the problem can only be accomplished through exclusion by federal enactment, the continued failure of Congress to exercise its authority, thus leaving the people of the States to their own

devices, will increase public resentment in the respective localities and proportionately complicate the real problem by involving in its discussion many matters of an extraneous or at best incidental nature.

## The Japanese Question in California

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THE full significance of the present agitation in California against the influx and settlement of Japanese can not be appreciated unless we understand that it is only a phase of two larger issues: the issue of Asiatic immigration, from whatever source, into the United States; and the even larger issue of colored immigration into lands of white settlement throughout the world. For the last half-century the relations of the white and non-white races have been growing both closer and more critical, until today they constitute unquestionably the gravest problem which confronts the world.

These relations are the logical outcome of the past four centuries of world history. During the last four hundred years the whites have spread broadcast over the globe, occupying its empty regions, like America and Australia, and building up a civilization characterized preëminently by high standards of living. Down to the last few decades of this long period the non-white races were practically passive, staying in their ancestral homes and filling those regions with dense populations characterized by low standards of living. But of late years

the non-white races have begun to stir. They hear about rich, thinly-peopled white men's lands. They learn the ease of ocean travel. They chafe at their pinched, crowded existence and long to enter those newer white men's lands whose ampler opportunities render them a veritable earthly paradise. They begin to cross the white world's frontiers. But the white inhabitants of these frontier regions at once take alarm. Relatively insignificant in numbers, they see themselves menaced by countless hordes of colored men threatening them with the destruction of their living standards, with numerical submersion, with social sterilization, and with ultimate racial extinction. Naturally the whites resolve that this shall not be. They resolve that the lands won by their pioneering enterprise shall remain their possession and the heritage of their children. They erect legal barriers debarring the colored immigrants from their soil. The colored man is thus balked in his dearest hopes. He strives to evade these legal barriers, and to a certain extent succeeds. The whites are still further alarmed. The barriers are still further strengthened. The colored pressure against them grows in turn. Passions become more and more inflamed. Both sides invoke the elemental principle of self-preservation. Both sides threaten to make good their

<sup>1</sup> Author of: *The French Revolution in San Domingo* (1914), *Present-Day Europe—Its National States of Mind* (1917), *The Stakes of the War* (1918), *Harper's Pictorial Library of the World War* (vol. 6, *The World at War*), (1919), *The Rising Tide of Color against White World-Supremacy* (1920.)—The EDITOR.